

EXTRA.



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[L.S.]

HENRI G. JOLY DE LOTBINIERE.

CANADA.

PROVINCE OF BRITISH COLUMBIA.

**EDWARD VII.**, by the Grace of God, of the United Kingdom of Great Britain and Ireland, KING, Defender of the Faith, &c., &c., &c.

*To all to whom these presents shall come.—GREETING.*

D. M. EBERTS, } **WHEREAS** it is provided by section 2 of chapter 57 of the  
*Attorney-General.* } Statutes of 1901, being the "Trail Incorporation Act,  
 1901," that it shall be lawful for the Lieutenant-Governor in Council forthwith, with-  
 out requiring the inhabitants of the lands proposed to be incorporated to observe the  
 provisions of section 3 of chapter 143 of the Revised Statutes of British Columbia,  
 being the "Municipalities Incorporation Act," as enacted by section 2 of chapter 55 of  
 the Statutes of 1899, by Letters Patent under the Public Seal, to incorporate under  
 the said "Municipalities Incorporation Act" into a city the tract of land hereinafter  
 set out; and that such Letters Patent shall have the same force and effect as Letters  
 Patent issued under the provisions and after compliance with all the formalities of the  
 said "Municipalities Incorporation Act," save and except as provided in said "Trail  
 Incorporation Act, 1901":

And whereas the Honourable Sir HENRI GUSTAVE JOLY DE LOTBINIERE, Lieutenant-Governor of Our Province of British Columbia, by and with the advice of the Executive Council, under and by virtue of the powers and authorities conferred upon him by the said Acts, and of all other powers and authorities him in that behalf enabling, hath ordered that all the following parcel or tract of land situate, lying and being in the District of West Kootenay, in the Province of British Columbia, and more particularly known and described as follows:—

Beginning at a point on the north side of Lot 230, Group 1, West Kootenay, 439.9 feet east of the north-west corner of said Lot 230; thence due west, following the north side of said Lot 230, 439.9 feet to the north-west corner of said Lot 230; thence due west, following the south boundary of Lot 367, Group 1, one-half mile to a point; thence due south one mile, more or less, to a point in the south side, produced, of the aforesaid Lot 230, which point is one-half mile due west of the south-west corner of said Lot 230; thence due east one-half mile to the south-west corner of said Lot 230; thence due east three-quarters of a mile, more or less, following the south side of said Lot 230 to the south-east corner of said Lot 230; thence due east along the production of the south side of said Lot 230 one-quarter of a mile to a point; thence due north 1,710 feet, more or less, to the high water mark of the south bank of the Columbia River; thence north-westerly, following the high water mark of the south and west bank of the Columbia River, 4,500 feet, more or less, to the north side, produced in a north-easterly direction, of Block 18, in the sub-division of



Trail, as shown on the map or plan of same deposited at the Land Registry Office at Victoria, numbered 465A; thence S.  $53^{\circ}$  W. 595 feet, more or less, following the north-west sides of Blocks 18 and 19, as shown on the aforesaid map, to the intersection of the south-west side of the alley in Block 19 and the before described north-west side of Block 19; thence S.  $37^{\circ}$  E. 75 feet, more or less, following the south-west side of the alley in Block 19, aforesaid, to its intersection with the north-west side of Lots 8, 9, 10 and 11 in said Block 19; thence S.  $53^{\circ}$  W., following the north-west side, and north-west side produced, of said lots, 175 feet, more or less, to the west corner of Cedar Avenue, as shown on said plan 465A; thence S.  $37^{\circ}$  E., following the south-west side of said Cedar Avenue, 310 feet, to its intersection with the north-west side of the alley on the north of Block 22, as shown on said plan 465A; thence S.  $53^{\circ}$  W. 395 feet, more or less, following the north-west side of the aforesaid alley to its intersection with the north-east side of the alley running north-westerly in Block 23, as shown on said plan 465A; thence N.  $37^{\circ}$  W. 210 feet, more or less, following the said north-east side of alley to its intersection with the north-west side of Nelson Street, in said subdivision of Trail, as shown on said plan 465A; thence N.  $49^{\circ} 30'$  W. 232 feet; thence S.  $55^{\circ} 25'$  W. 200.9 feet; thence N.  $47^{\circ} 20'$  W. 470 feet, more or less, to a point due south of and 1,785.9 feet from the place of beginning; thence due north to the place of beginning, containing an area of 665 acres, more or less, and the inhabitants thereof, shall, on, from and after the 14th day of June, 1901, be incorporated as a City Municipality under the said Acts, and hath made further provision to the tenor and effect hereinafter appearing:

NOW KNOW YE, that by these presents WE do hereby order and proclaim that the locality hereinbefore described, and the inhabitants thereof, shall, on, from and after the 14th day of June, 1901, be incorporated as a City Municipality, under and subject to the provisions of the "Municipalities Incorporation Act," and of the "Trail Incorporation Act, 1901," and under and subject to the provisions hereinafter contained or referred to.

The said Municipality shall be called and known by the name and style of "The Corporation of the City of Trail."

The said Municipality shall comprise all those pieces or parcels of land hereinbefore described.

The Council shall consist of a Mayor and six Aldermen, and the whole number present at each meeting thereof shall not be less than four.

The nomination for the first election of a Mayor and Aldermen shall be held at the store of Charles Brown, Esquire, situate in Spokane Street, Trail, on the 29th day of June, A. D. 1901, at 12 o'clock noon, and the polling (if any) shall be at said building, on the 6th day of July, A. D. 1901, and shall continue for one day only, and the poll shall be kept open between the hours of 10 A. M. and 4 P. M., and Robert Perdue, of Trail, Esquire, shall be the Returning Officer thereat.

The persons qualified to be nominated for and elected Mayor of such City at the first elections and bye-elections to be held during the years 1901 and 1902, shall be such persons as are male British subjects of the full age of twenty-one years, and are not disqualified under any law, and

- (a.) Are at the date of nomination the assessed owners of land or real property in the City of the value of one thousand dollars over and above any registered incumbrance, and are otherwise qualified to vote at such election; or
- (b.) Who are at the date of nomination the sole tenants in possession of land or real property in the City of the value of two thousand dollars under lease in writing for not less than one year, and are otherwise qualified to vote at such election; or
- (c.) Who are at the date of nomination the members of a partnership firm, or shareholders of a joint stock company, which is at the said date of nomination the assessed owner of land or real property in the City of the value of one thousand dollars over and above any registered incumbrances, and whose individual interest in said partnership or company land is of not less value than one thousand dollars, and are otherwise qualified to vote at such election.

The persons qualified to be nominated for and elected as Aldermen of such City at the said first election, and at all elections and bye-elections to be held during the years 1901 and 1902, shall be such persons as are male British subjects of the full age of twenty-one years, and are not disqualified under any law, and

- (a.) Are at the date of nomination the assessed owners of land or real property in the City of the value of five hundred dollars over and above any registered incumbrances, and are otherwise qualified to vote at such election; or
- (b.) Who are at the date of nomination the sole tenants in possession of land or real property in the City of the value of one thousand dollars under lease in writing for not less than one year, and are otherwise qualified to vote at such election; or



- (c.) Who are at the date of nomination the members of a partnership firm, or shareholders of a joint stock company, which is at the said date of nomination the assessed owner of land or real property in the City of the value of five hundred dollars over and above any registered incumbrances, and whose individual interest in said partnership or company land is of not less value than five hundred dollars, and are otherwise qualified to vote at such election.

The persons qualified to vote for Mayor and Aldermen at the first election, and at all elections and bye-elections to be held during the year 1901, shall be all persons who are male British subjects of the full age of twenty-one years, and have resided in the limits of the City for the three months next preceding the date of such election, and

- (a.) Who are the assessed owners of lands or real property situate within the Municipality; or  
(b.) Who are the tenants in possession of lands or real property situate within the Municipality, paying therefor a rental having a monthly value of at least five dollars,

and who shall, before the day of such election, have applied to the Returning Officer and have had their names placed on the list of electors for such election.

Until the said Municipality is divided into wards, the Mayor and Aldermen shall be elected by those qualified to vote in the whole City.

The Mayor and Aldermen elected at the said first election shall hold office until his successor, or a majority of their successors, have been sworn in, unless he or they shall die or resign or become disqualified.

It shall be the duty of the Returning Officer to enter in a book, in alphabetical order, the names, addresses and occupations of all persons, qualified to vote as aforesaid, who make application to him, as aforesaid, to have their names placed on such list, and such list shall be the list of the electors for such elections.

Before the name of any person shall be placed on the list, he shall make and sign a declaration in writing, before some person authorised to administer oaths, setting forth his name, address, occupation and qualifications as aforesaid, which declaration shall be filed with the Returning Officer.

Such list and declarations shall be open to inspection by any person within lawful hours.

Any person may complain that his name is improperly omitted from the voters' list, or that any other name is improperly inserted thereon, and may apply to any Judge of the Supreme or County Court to have his name inserted thereon or to have any names improperly inserted thereon struck off the said list. In such latter case reasonable notice, to be determined by the Judge applied to, shall be given to the person whose name is proposed to be struck off. The Judge shall hear and dispose of all such applications in a summary way, and the Returning Officer shall amend the list in accordance with the Judge's decision.

At least six days' notice of the time and place of nomination and of holding of the poll (if any) shall be given by the said Returning Officer; such notice to be posted during that period in the manner provided by section 30 of the "Municipal Elections Act."

The Returning Officer shall, on the day of nomination, at 2 o'clock P.M., announce the names of the persons put in nomination in that behalf as candidates for the offices of Mayor and Aldermen, as prescribed by the "Municipal Elections Act."

At the close of the time for nominating the candidates the Returning Officer shall deliver to every candidate, or agent of a candidate, applying for the same, a duly certified list of the names of the several candidates who shall have been nominated; and any votes given at the election for any other candidates than those so nominated shall be null and void.

If, at the expiration of the time appointed for the election as aforesaid, no more candidates stand nominated than there are vacancies to be filled up, the Returning Officer shall forthwith declare the candidates who may stand nominated to be elected, and return their names to the Registrar of the Supreme Court.

No speeches or interruption to the proceedings of nominating candidates at the hustings shall be permitted by the Returning Officer between the reading of the notice of election and the closing of the proceedings on nomination day by the Returning Officer.

If, at the expiration of such time, more candidates stand nominated than there are vacancies to be filled up, the Returning Officer shall declare the names of the candidates, and publicly proclaim the day previously stated in his proclamation, and the place or places at which the poll shall be so opened in the Municipality, for the purpose of taking the votes of the electors according to law; and shall then adjourn the election, and shall take a poll by ballot, and shall cause to be posted up notices of his having granted such poll, indicating the names, residences, and occupations of the candidates so nominated, in the order in which they shall be printed on the ballot papers, which



notices shall, as soon as possible after the nomination, be placarded in all the places where the proclamation for the election was posted up.

If, after the adjournment of an election by the Returning Officer for the purpose of taking a poll, one of the candidates nominated shall die before the poll has commenced, the Returning Officer shall, upon being satisfied of the fact of such death, countermand notice of the poll, and all the proceedings with reference to the election shall be commenced afresh: Provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermand of the poll.

In case of a poll being held the candidates (duly qualified) who shall obtain the greatest number of votes shall be Mayor and Municipal Aldermen respectively.

Every person qualified to vote shall have seven votes, being one for each Alderman to be elected, and one for Mayor, but he may vote for any less number than seven: Provided always, that he shall not cast more than one vote in favour of any one candidate, or vote on more than one occasion. And in the event of the number of votes being found to have been equal for any two or more candidates, one or more of whom, but not all of such candidates, being by the state of the poll entitled to be declared elected, the Returning Officer shall by a casting vote or votes, as the case may be, decide which of the candidates for whom the votes may be equal shall be elected: Provided that the said Returning Officer shall not vote except in case of an equality of votes as aforesaid.

All expenses attendant upon the said election shall be borne by the said City.

The opening of the ballot boxes and counting the votes shall be in the presence of the candidates if they attend for that purpose.

The Returning Officer, after the declaration of the poll, shall retain the ballot papers and boxes until a Clerk shall be duly appointed, to whom he shall forthwith deliver the same.

Every person who shall have presented himself for nomination, and who shall have been elected a Mayor or Municipal Alderman, must serve for the term for which he has been elected, unless in the case of sickness, or cause satisfactory to the Council, or in default pay a sum of fifty dollars towards the Municipal Revenue; such sum, with costs, shall be recoverable by the Clerk of the Municipality, summarily, before any Justice of the Peace.

Any vacancy in the office of Mayor or Alderman shall be filled as provided by the "Municipal Elections Act."

The first meeting of the Council shall be held on the first Saturday after the day of election, at the said building, at two o'clock in the afternoon.

Until provision be made by by-law, in that behalf, all proceedings at and relating to the meetings of the Council shall be held and taken in accordance with the provisions contained in the "Municipal Clauses Act," and all the powers, privileges, and duties of the Mayor and Council shall be the same as those prescribed by the said Act.

At the first meeting, or as soon thereafter as possible, the Council may elect a Clerk, Treasurer, Collector, and Assessor, or such officers as they may deem necessary, who shall hold such office during the pleasure of the Council, and receive such remuneration as the Council may by by-law appoint.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Great Seal of the said Province to be hereunto affixed: WITNESS, the Honourable Sir HENRI GUSTAVE JOLY DE LOTBINIÈRE, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this fourteenth day of June, one thousand nine hundred and one, and in the first year of Our Reign.

By Command.

A. CAMPBELL REDDIE,

*Deputy Provincial Secretary.*